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7 **UNITED STATES DISTRICT COURT**  
8 **SOUTHERN DISTRICT OF CALIFORNIA**  
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10 ANTICANCER, INC. a California  
11 corporation,

Plaintiff,

12 vs.

13 PFIZER INC., a Delaware corporation,  
14 CROWN BIOSCIENCE, INC., a California  
15 corporation, and DOES 1–50,

Defendants.

CASE NO. 11CV107 JLS (RBB)

**ORDER ENTERING SUMMARY  
JUDGEMENT ON PATENT  
INFRINGEMENT CLAIMS**

(ECF No. 73)


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17 Presently before the Court is AntiCancer, Inc.’s (“AntiCancer”) Notice of Objection to  
18 Court’s Conditions for Amendment. (ECF No. 73) On June 1, 2012, the Court denied in part  
19 Defendants Pfizer Inc. (“Pfizer”) and CrownBioscience, Inc.’s (“CrownBio,” and collectively  
20 “Defendants”) Motion for Summary Judgment of Noninfringement Based on Defective  
21 Infringement Contentions, (MSJ, ECF No. 38). (Order, June 1, 2012, ECF No. 63) Instead, the  
22 Court gave AntiCancer a choice: amend its defective Preliminary Infringement Contentions and  
23 reimburse Defendants for the costs associated with their motion for summary judgment, or object  
24 to the Court’s conditions for amendment and have summary judgment be granted in Defendants’  
25 favor. (*Id.* at 16)

26 On June 29, 2012, AntiCancer objected to the Court’s conditions for amendment. (ECF  
27 No. 73) Accordingly, summary judgment is **HEREBY GRANTED** in Defendants’ favor on the  
28 fourth and fifth claims for relief in AntiCancer’s Second Amended Complaint, (ECF No. 72).

1 The parties are reminded to meet and confer and to submit a joint proposal for a revised  
2 case management schedule on or before July 13, 2012. Upon receipt of the parties' joint proposal,  
3 the Court will lift the stay in this matter and will vacate the status hearing, currently scheduled for  
4 July 20, 2012.

5 **IT IS SO ORDERED.**

6  
7 DATED: July 2, 2012

8   
9 Honorable Janis L. Sammartino  
United States District Judge